

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
Wheeling Division

DIANA MEY, on behalf of herself
and a class of others similarly situated,

Plaintiff,

Civil Action No. 5:21-cv-00062

v.

MATRIX WARRANTY SOLUTIONS,
INC., et al.

Defendants.

PLAINTIFF'S MOTION FOR CLASS CERTIFICATION

Pursuant to Federal Rules of Civil Procedure 23(a) and 23(b)(3), Plaintiff Diana

Mey moves to certify the following class:

Prerecord Class. Plaintiff and all persons appearing on the Customer Lists (a) to whom NAPC sold a Matrix-administered, -created, or -branded product; (b) by initiating a telephone call to a residential and/or cellular telephone number; (c) using artificial or prerecorded voice messages; and (d) at any time four years before the date this action was commenced through the date of class certification.

Plaintiff requests appointment as class representative of the proposed class and that undersigned counsel be appointed to serve as class counsel pursuant to Federal Rule of Civil Procedure 23(g). The bases for class certification are set forth in the accompanying memorandum of law.

DIANA MEY

By Counsel:

/s/ Andrew C. Robey

Ryan M. Donovan (WVSB #11660)

Andrew C. Robey (WVSB #12806)

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CERTIFICATE OF SERVICE

The undersigned counsel does hereby certify that on February 21, 2023, a true copy of the foregoing document was served upon all parties of record via ECF notification.

/s/ Andrew C. Robey
Andrew C. Robey (WVSB #12806)